

3:24cv1117
Case No. _____

U.S. DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

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FRANK TUFANO

Plaintiff(s),

VERIFIED COMPLAINT

-against-

Amos Miller
GiveSendGo LLC
GOFUNDME INC.
FOX NEWS NETWORK, LLC
Off Grid with Doug and Stacy LLC
RIVERSIDE HOMESTEAD LIFE LLC
MAPLE LEAF MEDIA LLC

**FILED
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JUL 08 2024

PER SP
DEPUTY CLERK

Defendant(s).

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1. Frank Tufano operates an online meat shipping business largely from his YouTube Persona, focusing mostly on nutrition and healthy foods.
2. Frank Tufano's business encountered issues with the USDA and Department of Agriculture in July of 2022 due to false reports from his landlord attempting to evict him.
3. After publicizing the event on YouTube and gathering some attention, a similar business with an online store selling identical products to Frank Tufano, Amos Millers organic farm, fabricated a fraudulent media campaign to garnish attention from Frank Tufano with the end goal of building their own wealth.

4. Frank Tufano posted several videos, two notable ones on July 8th, and July 10th of 2022, showing the officers and government agents on his property, and explaining the situation to his viewers, gaining around 26,000 online views.
5. The same week Frank was still posting about this incident, the YouTube channel “Off Grid with Doug and Stacy,” posted a video about Amos Millers farm being under attack titled “US Marshalls raid AMISH over FOOD! Small homesteads next?” - This was clearly done in a deceptive manner as the video was referencing an article over 1 year old, dated June 17 of 2021. The video gained over 2.1 Million views.
6. Although Amos Millers farm had been “raided,” in the past, there was no current attack or raid. The manner and display of the situation is not factually correct.
7. This stole attention from Frank Tufano’s misfortune, and generally, when people see a small business struggling they are inclined to help them. Amos Miller saw Frank’s suffering as an opportunity to direct the pity, people who would potentially help Frank Tufano, to himself, with malicious intent to build his own wealth.
8. One day later, on July 19, 2022. The YouTube channel “Riverside Homestead Life,” posted a similar video as “Off Grid with Doug and Stacy,” titled “US Marshalls RAID Amish Farm, Our FOOD is Under ATTACK | SHTF PREPPING.” Again, clearly in a deceptive manner emphasizing urgency. In the video they encouraged people to donate to Amos Millers organic farm, raising over \$30,450 on gofundme.com, titled “Help Miller’s Organic Farm Overcome

Court Order.” There was also another gofundme campaign that raised \$155,221 titled “Help Amos Miller Save our Traditional Foods.”

9. Amos Miller gained more attention (677,860 views) from “Rebel News,” on August 17, 2022, in a video titled “Amish farm under threat from U.S. federal govt for refusal to abandon traditional farming practices,” as well as “Fox News,” on August 23, 2022, in a video titled “Biden administration targets Amish farmer with armed raid and \$300k fine,” gaining 2,368,150 views.
10. According to the ongoing case between Amos Miller and the state, “United States v. MILLER’S ORGANIC FARM (5:19-cv-01435),” there is an approximate fine of \$105,000 dated April of 2022.
11. The timing of all of the events that incurred to Amos Miller contrast the timing of the social media videos and statements made by multiple media personalities with large online followings. Each of them have hundreds of thousands to millions of subscribers watching their videos daily - so these false statements were spread on a large enough scale to the point that anything Frank Tufano can do in remediation would be ignored.
12. Amos Miller fraudulently used his social media “connections” to strategically poach attention and customers from Frank Tufano during a time when his business was struggling with a legitimate USDA raid. Instead of Frank Tufano receiving large amounts of support or donations, the appropriate response was garnished by Amos Millers malicious, fraudulent, and deceptive, social media campaign.
13. To further prove Amos Millers fraudulent intentions and actions, a similar social media campaign was enacted in the first week of January 2024.

14. Amos Miller was allegedly visited by the PA Department of Agriculture over food safety concerns as they were searching for the source of “Shiga-Toxins,” and saw Amos Millers raw dairy products as a possible culprit. An undisclosed amount of Amos Millers products were “detained.”
15. The channel “Off Grid with Doug and Stacy,” (who started the original malicious campaign on July 2022 with their initial video) posted a video on this situation as well dated January 5, 2024 titled “POLICE raid AMISH farm!! Over FOOD...” gaining 149,230 views.
16. This video was referencing a video posted on twitter from “The Lancaster Patriot,” on January 4, 2024, gaining approximately 1,600,000 views..
17. Amos Miller used this as an opportunity to solicit more donations, earning over \$44,604 on givesendgo.com on a campaign titled “Amos Miller Under Attack AGAIN,” and a second campaign earning over \$176,793 on the same platform (givesendgo.com) titled “Help Amos Miller Save Our Traditional Foods.”
18. Amos Miller did not release factual information and was not transparent about the impact of the visit, only mentioning that some products were detained.
19. However, Amos Miller sent out a sales newsletter to his customer on January 6, 2024 at 11:28AM, producing a very long list of products that were still available. Based on Frank Tufano’s knowledge of the meat and food business, the list produced by Amos indicated that the inventory of his business was not impacted significantly by the Department of Agriculture product detainment.
20. Frank Tufano then reported his findings to givesendgo.com, who actively removed the two charity campaigns in order to consolidate them.

Givesendgo.com also required Amos Miller to change the wording on the campaign to reflect the facts of the situation. Original terms used such as “effectively ending his business until further notice,” were changed to “effectively putting his entire operation in jeopardy.”

21. The new consolidated campaign has approximately \$100,000 in new donations raised as of January 8, 2024. Whether Amos Miller received the funds from the two previous campaigns on givesendgo.com is unknown.
22. As of July 5, 2024, Amos Miller has raised \$300,290 on their GiveSendGo campaign, and are continuing to make fraudulent statements on social media to exacerbate the severeness of the situation in order to continually solicit donations, making a post on March 18th about a court hearing, and another post on April 13th about being allowed to sell his products. (Of which sales never ceased at any point in time)
23. Without providing the detainment sheet or photographic proof of products detained, Frank Tufano can only assume based on available evidence that several thousand dollars worth of product was detained, far lower than the amount of money solicited in donations.
24. To Frank Tufano’s knowledge, Amos Miller greatly exaggerated the damages suffered from assumed product detainment in order to solicit donations as well as solicit orders on his business to fraudulently build his personal wealth. Amos Miller made statements claiming his business was effectively ended, only to send out a sales email the next day.
25. This greatly impacts other small businesses that are selling food products. Customers may be incentivized to order from Amos Miller based off their pity

for his situation instead of ordering from their typical food supplier. If there was more truth and legitimacy to Amos Millers Claim, it would be reasonable to help and support his business, but it is apparent that the media portrayed campaign is drastically exaggerated with malicious intent, and Amos Miller has no regard for anyone else but to build his own personal wealth.

26. It is clear to Frank Tufano, based on all prior events, that Amos Miller is willing to say or do anything to fraudulently build his own personal wealth, whether that means stealing attention from other business or lying to play the victim over and over again on multiple occasions not lined up with factual event dates.
27. The social media connections that Amos Miller has used to solicit donations has given him an unfair advantage over “legitimate” small businesses that have been in similar situations. Frank Tufano did not have the capability to ask for or solicit donations, and even if he did, based on past experiences with platforms such as Kickstarter, he was heavily discriminated against as a legitimate small business owner, and taken off the platform with all donation monies seized and refunded.

JURISDICTION

28. This Court has subject matter jurisdiction pursuant to 28 U.S.C. par. 1332 because there is a complete diversity of citizenship between each plaintiff and Defendant and the amount in controversy exceeds \$75,000:
29. Frank Tufano’s permanent residence and domicile is established in Carbondale, PA
30. Amos Millers known residence and domicile is at 648 Mill Creek School RD, Bird in Hand, PA 17505

31. GiveSendGo LLC's is registered in Delaware at 8 the Green, STE A, Dover, DE 19901.
32. GOFUNDME INC. is registered in Delaware at 251 Little Falls DR, Wilmington, DE 19808

FIRST CLAIM FOR RELIEF
TITLE 18 § 4107. DECEPTIVE OR FRAUDULENT BUSINESS PRACTICES

33. Offense defined – A person commits an offense, if, in the course of business, the person:
- a. makes a false or misleading statement in any advertisement addressed to the public or to a substantial segment thereof for the purpose of promoting the purchase or sale of property or services
34. Makes or induces others to rely on a false or misleading written statement for the purpose of obtaining property or credit.
35. Through various social media channels and news outlets, Amos Miller repeatedly made false and misleading statements in order to solicit donations and to increase sales on his business.

SECOND CLAIM FOR RELIEF
CRIMINAL CONSPIRACY 18 Pa. C.S. § 903

36. Definition of conspiracy. A person is guilty of conspiracy with another person or persons to commit a crime if with the intent of promoting or facilitating its commission he:
- b. agrees with such other person or persons that they or one or more of them will engage in conduct which constitutes such crime or an attempt or solicitation to commit such crime; or

- c. agrees to aid such other person or persons in the planning or commission of such crime or of an attempt or solicitation to commit such crime.

37. Scope of conspiratorial relationship: If a person guilty of conspiracy, as defined by subsection (13) of this section, knows that a person with whom he conspires to commit a crime has conspired with another person or persons to commit the same crime, he is guilty of conspiring with such other person or persons, to commit such crime whether or not he knows their identity.

38. Duration of conspiracy: For purposes of 42 Pa.C.S. § 5552(d) (relating to commission of offense):

- a. conspiracy is a continuing course of conduct which terminates when the crime or crimes which are its object are committed or the agreement that they be committed is abandoned by the defendant and by those with whom he conspired
- b. such abandonment is presumed if neither the defendant nor anyone with whom he conspired does any overt act in pursuance of the conspiracy during the applicable period of limitation; and
- c. if an individual abandons the agreement, the conspiracy is terminated as to him only if and when he advises those with whom he conspired of his abandonment or he informs the law enforcement authorities of the existence of the conspiracy and of his participation therein

39. Amos Miller conspired with various parties including popular social media persons on YouTube and mainstream news channels such as Fox News to

fraudulently exaggerate the severity of his situation in order to solicit donations from the unknowing public.

THIRD CLAIM FOR RELIEF
PENNSYLVANIA STATUTES TITLE 10 P.S. CHARITIES AND WELFARE §

40. General rule. –Regardless of a person’s intent or the lack of injury, the following acts and practices are prohibited in the planning, conduct, or execution of any solicitation or charitable sales promotion:

- a. (2) Utilizing any unfair or deceptive acts or practices or engaging in any fraudulent conduct which creates a likelihood of confusion or of misunderstanding.
- b. (5) Misrepresenting or misleading anyone in any manner to believe that the person on whose behalf a solicitation or charitable sales promotion is being conducted is a charitable organization or that the proceeds of such solicitation or charitable sales promotion will be used for charitable purposes when such is not the fact.
- c. (11) Soliciting for advertising to appear in a for-profit publication which relates to, purports to relate to or which could reasonably be construed to relate to any charitable purpose without making the following disclosures at the time of solicitation: (A) The publication is a for-profit, commercial enterprise. (C) The publication is not directly affiliated or sponsored by any charitable organization.

41. Amos Miller and his associates used unfair practices to falsify and exaggerate the situation to create a misunderstood and confusing narrative in order to increase profits from donations and product sales.
42. Amos Miller and associates claim the donations are to be used for charitable purposes but the proceeds greatly exceed the monetary requirements of the situation at hand.
43. Amos Miller did not disclose that the donations are for-profit in his commercial business enterprise and that he is not a charitable organization or affiliated with one.

FOURTH CLAIM FOR RELIEF
PRE-COMPLAINT DISCOVERY PA. CODE § 4003.8

44. For Amos Miller to disclose value of all product seized by PA Department of Agriculture and Business Revenue to show impact of alleged claims on sales.
45. For GiveSendGo LLC and GOFUNDME INC. to disclose amount of all charitable donations given to Amos Miller from 2018 onwards.
46. For all involved parties (GiveSendGo LLC), (GOFUNDME INC.), (FOX NEWS NETWORK, LLC), (Off Grid with Doug and Stacy LLC) (RIVERSIDE HOMESTEAD LIFE LLC), (MAPLE LEAF MEDIA LLC) to disclose any communications between Amos Miller or any of his associates from 2022 onward.

PRAYER FOR RELIEF

47. WHEREFORE, by reason of the acts and circumstances alleged herein, Frank Tufano seeks relief from this Court as follows:
- A. The fraudulent and misleading videos, posts, articles, and statements be removed from the internet.

- B. The conspiring parties post a public notice acknowledging their wrongdoing.
- C. The charitable monies submitted under fraudulent circumstances be returned to the unknowingly consenting parties.
- D. Frank Tufano be compensated for the loss of support and business revenue due to the malicious campaign of Amos Miller to distract the public from his struggles in an amount no less than \$100,000, the estimated profit from lost sales and revenue based on lost social media exposure.

Dated: July 8, 2024

By: /s/ Frank Tufano
Frank Tufano